

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

| | | |
|---------------------------------|----------|---|
| UNITED STATES OF AMERICA | : | CRIMINAL NO. _____ |
| v. | : | DATE FILED: _____ |
| DETOINE DAVIS | : | VIOLATIONS: |
| LAMAR ROSS | | 18 U.S.C. § 371 |
| SHARON MILLSAPS | : | (conspiracy - 2 counts) |
| TIFFANY ALLEN | | 18 U.S.C. § 1341 |
| KALEESHA ALLEN | : | (mail fraud - 5 counts) |
| | | 18 U.S.C. § 1028(a)(7) |
| | : | (identity theft involving interstate |
| | | commerce - 5 counts) |
| | : | 18 U.S.C. § 1028A(a)(1) |
| | | (aggravated identity theft - 5 counts) |
| | : | 18 U.S.C. § 1029(a)(5) |
| | | (access device fraud - 5 counts) |
| | : | 18 U.S.C. § 2 |
| | | (aiding and abetting) |

INDICTMENT

COUNT ONE

THE GRAND JURY CHARGES THAT:

1. From in or about mid-2004 through in or about May 2006, in the Eastern District of Pennsylvania and elsewhere, defendants

**DETOINE DAVIS,
LAMAR ROSS,
SHARON MILLSAPS,
TIFFANY ALLEN, and
KALEESHA ALLEN**

conspired and agreed, together and with others known and unknown to the grand jury, to commit offenses against the United States, that is, identity theft, in violation of Title 18, United States Code, Sections 1028(a)(7) and 1028A.

MANNER AND MEANS

2. It was part of the conspiracy that defendant **DETOINE DAVIS** obtained stolen identity information, that is, the name, address, date of birth, or social security number of individuals from the Eastern District of Pennsylvania area who had not given him or any other person permission to use their personal identification information. Defendant **DETOINE DAVIS** obtained the stolen personal identification of, among others, the following persons who resided in the Eastern District of Pennsylvania: E.J., R.M., V.S., T.F., L.M., J.W., A.K., S.M., B.V., J.K., A.C., M.G., H.T., E.M., J.W., C.S., V.D., J.D., R.S., W.P., B.G., G.A.A., H.B., C.S., E.B., D.G., C.D., P.D., G.K., A.W., L.F., D.S., J.E., B.R., N.B., C.B., Y.S.K., and J.G.

It was further part of the conspiracy that:

3. Defendant **DETOINE DAVIS**, posing as someone associated with a store or credit card company, called the victims of the identity theft to elicit additional identifying information and credit card information.

4. Posing as the identity theft victim, defendant **DETOINE DAVIS** contacted a credit card issuer involved in interstate commerce, including Bank of America, Capital One, Discover, MBNA, and Washington Mutual, with which the identity theft victim had an account, and requested a new credit card on the identity theft victim's credit card account in the name of a person provided by defendant **DETOINE DAVIS**, and/or asked that the credit card be mailed to a new address that defendant **DETOINE DAVIS** also requested be added to the account.

5. Defendants **LAMAR ROSS, SHARON MILLSAPS, TIFFANY ALLEN**, and **KALEESHA ALLEN** agreed to have their names and/or the addresses with which

they were associated added to the identity theft victim's credit card account.

6. Defendants **DETONE DAVIS, LAMAR ROSS, SHARON MILLSAPS, TIFFANY ALLEN**, and **KALEESHA ALLEN** received the fraudulently obtained credit cards at a variety of addresses in Philadelphia, Pennsylvania, including but not limited to four addresses in the 800 block of N. Palm Street, and addresses in the 1500 block of N. Marston Street, the 4200 block of Greeby Street, the 2400 block of Edgley Street, the 4600 block of N. 13th Street, the 3500 block of N. Warnock Street, the 1500 block of N. Stillman Street, the 2500 block of N. 32nd Street, the 300 block of Wyalusing Avenue, and the 3800 block of Spring Garden Street, from the mail or private or commercial carrier.

7. Defendants **LAMAR ROSS, SHARON MILLSAPS, TIFFANY ALLEN**, and **KALEESHA ALLEN** gave these fraudulently obtained credit cards to defendant **DETOINE DAVIS**.

8. Defendant **DETOINE DAVIS** paid a fee to defendants **LAMAR ROSS, SHARON MILLSAPS, TIFFANY ALLEN**, and **KALEESHA ALLEN** for their participation in the scheme. The fee was either a cash payment, or defendant **DETOINE DAVIS** permitted defendants **LAMAR ROSS, SHARON MILLSAPS, TIFFANY ALLEN**, and **KALEESHA ALLEN** to use the fraudulently obtained credit cards to make purchases for themselves.

9. Defendants **DETOINE DAVIS, LAMAR ROSS, SHARON MILLSAPS, TIFFANY ALLEN**, and **KALEESHA ALLEN** pretended to be a lawful holder of the credit card, and made purchases using the unlawfully obtained credit card at retail stores, with locations in the Eastern District of Pennsylvania and elsewhere, involved in the sale of goods in interstate commerce. The loss caused by use of the fraudulently obtained credit cards was

approximately \$202,534.

OVERT ACTS

In furtherance of the conspiracy, defendants **DETOINE DAVIS, LAMAR ROSS, SHARON MILLSAPS, TIFFANY ALLEN**, and **KALEESHA ALLEN** committed the following overt acts, among others, on or about the dates noted and at or near the locations noted, in the Eastern District of Pennsylvania and elsewhere:

| # | DATE | DEFENDANT | OVERT ACT |
|----|----------|-----------|---|
| 1. | 10-17-05 | K. ALLEN | Agreed to accept packages containing fraudulent credit cards issued on S.M.'s account at an address in the 1500 block of N. Marston Street, Philadelphia, Pennsylvania. |
| 2. | 1-11-06 | DAVIS | Posed as identity theft victim C.B., and requested that the name and address on C.B.'s Capital One account be changed to an address in the 3900 block of Wyalusing Avenue, Philadelphia, Pennsylvania. |
| 3. | 1-11-06 | ROSS | Requested that his mother accept and sign for the package containing the fraudulent credit card issued on C.B.'s account at his mother's home at his mother's home address in Philadelphia, Pennsylvania. |
| 4. | 1-13-06 | DAVIS | Possessed items addressed in identity theft victim R.S.'s name, listing an address in the 2400 block of Edgley St., Philadelphia, Pennsylvania. |
| 5. | 1-20-06 | DAVIS | Posed as identity theft victim Y.S.K., and requested that the name and address on Y.S.K.'s Capital One account be changed to an address in the 4600 block of N. 13 th Street, Philadelphia, Pennsylvania and that defendant SHARON MILLSAPS be added as a co-authorized account holders. |
| 6. | 1-20-06 | MILLSAPS | Agreed to have her name added to the credit card account of Y.S.K. to obtain a fraudulent credit card in MILLSAPS' name. |

7. 2-24-06 T. ALLEN Agreed to accept packages containing fraudulent credit cards issued on identity theft victims S.L. and B.V.'s accounts at an address in the 4600 block of N. 13th Street, Philadelphia, Pennsylvania.

All in violation of Title 18, United States Code, Section 371.

COUNTS TWO THROUGH SIX

THE GRAND JURY FURTHER CHARGES THAT:

At all times material to this indictment:

1. Bank of America, Capital One, Discover, MBNA, and Washington Mutual (“the credit card companies”) were credit card issuers and were involved in interstate commerce.
2. Upon request of a person falsely representing him/herself to be the credit card account holder, the credit card companies would issue an additional credit card on the account holder’s credit card account in a new name or to a new address requested by that person.
3. The credit card companies, upon issuing the new credit card, would mail the new credit card to the address requested via mail by the Postal Service or by private or commercial interstate carrier.

THE SCHEME

4. From in or about mid-2004 through in or about May 2006, defendants

**DETOINE DAVIS,
LAMAR ROSS,
SHARON MILLSAPS,
TIFFANY ALLEN, and
KALEESHA ALLEN**

devised and intended to devise a scheme and artifice to defraud, and to obtain money and property by means of false and fraudulent pretenses, representations, and promises, by falsely representing themselves as a credit card account holder, requesting that a new credit card issue on that account in a new name and/or address, receiving the new credit card at the newly-added address, and purchasing goods on that credit card account, all without the permission of the true account holder.

5. On or about each of the dates set forth below, in the Eastern District of Pennsylvania and elsewhere,

**DETOINE DAVIS,
LAMAR ROSS,
SHARON MILLSAPS,
TIFFANY ALLEN, and
KALEESHA ALLEN,**

for the purpose of executing the scheme and artifice and attempting to do so, knowingly caused to be delivered by mail according to the direction thereon, the following items, each mailing constituting a separate count:

| COUNT | DATE | ITEM SENT | VICTIM ACCOUNT | ADDRESS |
|--------------|-------------|--|---|--|
| 2 | 1-10-05 | Bank of America credit card in the name of Detoine Davis | Bank of America credit card account of R.M. | In the 3800 block of Spring Garden Street, Philadelphia, PA |
| 3 | 4-19-05 | Discover credit card in the name of Laram Ross | Discover credit card account of C.S. | In the 4200 block of Greeby Street, Philadelphia, PA |
| 4 | 10-13-05 | MBNA credit card in the name of Thomas Robertson | MBNA credit card account of S.M. | In the 1500 block of N. Marston Street, Philadelphia, PA |
| 5 | 1-20-06 | Capital One credit card in the name of Sharon Millsaps | Capital One credit card account of Y.S.K. | In the 4600 block of North 13 th Street, Philadelphia, PA |

| COUNT | DATE | ITEM SENT | VICTIM ACCOUNT | ADDRESS |
|-------|---------|--|----------------------------------|--|
| 6 | 2-23-06 | MBNA credit card in the name of Shawn Long | MBNA credit card account of B.V. | In the 4600 block of North 13 th Street, Philadelphia, PA |

All in violation of Title 18, United States Code, Sections 1341 and 2.

COUNTS SEVEN THROUGH ELEVEN

THE GRAND JURY FURTHER CHARGES THAT:

On or about the dates listed below, in the Eastern District of Pennsylvania and elsewhere, defendants

**DETOINE DAVIS,
LAMAR ROSS,
SHARON MILLSAPS,
TIFFANY ALLEN, and
KALEESHA ALLEN**

knowingly and without lawful authority used, and aided and abetted and willfully caused the use of, a means of identification of another person, without lawful authority and with the intent to commit, and to aid and abet, a violation of federal law, that is, mail fraud in violation of Title 18, United States Code, Section 1341, by fraudulently requesting that credit cards issue in names and to addresses on credit card accounts of the identity theft victims, as listed below, as a result of which use the defendants obtained merchandise and other things of value aggregating \$1,000 or more during a one-year period, and thereby affected interstate commerce:

| COUNT | DEFENDANT(S) | DATE (ON OR ABOUT) | IDENTITY THEFT VICTIM | APPROXIMATE LOSS ON FRAUDULENTLY ISSUED CREDIT CARD |
|--------------|------------------------------------|-----------------------------------|--------------------------------------|--|
| 7 | DETOINE DAVIS | 1-10-05 | R.M. | \$14,039 |
| 8 | DETOINE DAVIS and LAMAR ROSS | 4-19-05 | C.S. | \$4,370 |

| COUNT | DEFENDANT(S) | DATE (ON OR ABOUT) | IDENTITY THEFT VICTIM | APPROXIMATE LOSS ON FRAUDULENTLY ISSUED CREDIT CARD |
|-------|--|-----------------------|-----------------------------|---|
| 9 | DETOINE DAVIS and KALEESHA ALLEN | 10-13-05 | S.M. | \$7,284 |
| 10 | DETOINE DAVIS and SHARON MILLSAPS | 1-20-06 | Y.S.K. | \$14,383 |
| 11 | DETOINE DAVIS and TIFFANY ALLEN | 2-23-06 | B.V. | \$3,535 |

All in violation of Title 18, United States Code, Sections 1028(a)(7), (b)(1)(D),
(c)(3)(A), and 2.

COUNTS TWELVE THROUGH SIXTEEN

THE GRAND JURY FURTHER CHARGES THAT:

On or about the dates listed below, in the Eastern District of Pennsylvania and elsewhere, defendants

**DETOINE DAVIS,
LAMAR ROSS,
SHARON MILLSAPS,
TIFFANY ALLEN, and
KALEESHA ALLEN,**

during and in relation to a mail fraud, knowingly and without lawful authority possessed and used, and aided and abetted and willfully caused the possession and use of, a means of identification of another person, that is, the name of the victims listed below:

| COUNT | DEFENDANT(S) | DATE (ON OR ABOUT) | IDENTITY THEFT VICTIM | APPROXIMATE LOSS ON FRAUDULENTLY ISSUED CREDIT CARD |
|--------------|--|-----------------------------------|--------------------------------------|--|
| 12 | DETOINE DAVIS | 1-10-05 | R.M. | \$14,039 |
| 13 | DETOINE DAVIS and LAMAR ROSS | 4-19-05 | C.S. | \$4,370 |
| 14 | DETOINE DAVIS and KALEESHA ALLEN | 10-13-05 | S.M. | \$7,284 |
| 15 | DETOINE DAVIS and SHARON MILLSAPS | 1-20-06 | Y.S.K. | \$14,383 |

| COUNT | DEFENDANT(S) | DATE (ON OR ABOUT) | IDENTITY THEFT VICTIM | APPROXIMATE LOSS ON FRAUDULENTLY ISSUED CREDIT CARD |
|-------|---------------------------------------|--------------------------|-----------------------------|---|
| 16 | DETOINE DAVIS and TIFFANY ALLEN | 2-23-06 | B.V. | \$3,535 |

All in violation of Title 18, United States Code, Sections 1028A(a)(1), (c)(5),
and 2.

COUNT SEVENTEEN

THE GRAND JURY FURTHER CHARGES THAT:

1. From in or about late 2006 through in or about December 2007, in the Eastern District of Pennsylvania and elsewhere, defendants

**DETOINE DAVIS,
SHARON MILLSAPS, and
TIFFANY ALLEN**

conspired and agreed, together and with others known and unknown to the grand jury, to commit offenses against the United States, that is, access device fraud, in violation of Title 18, United States Code, Section 1029(a)(5).

MANNER AND MEANS

2. It was part of the conspiracy that defendant **DETOINE DAVIS** contacted victims via telephone to inquire about their debit card accounts, and sought information from the following persons who resided in the Eastern District of Pennsylvania: M.D., E.L., A.J., M.L., T.T., A.D., A.P., A.W., C.S., D.B., C.L., L.W., E.P., E.M., C.P., J.K., L.H., C.L., A.R., C.R., G.W., A.W., E.H., L.K., M.L., V.W., E.G., D.J., C.J., M.G., D.E., M.G., M.M., F.J., K.N., M.R., D.F., E.J., M.H., V.B., L.T., E.E., M.D., E.H., E.W., N.K., E.D., I.D., E.K., E.S., W.M., E.W., and F.C.

It was further part of the conspiracy that:

3. Defendant **DETOINE DAVIS**, falsely posing as someone associated with the bank who issued the debit card, advised the victim that there was a problem with the victim's debit card and that the bank was sending someone over from the security department to assist the

victim in correcting the problem.

4. Defendant **DETOINE DAVIS** selected elderly victims based on his belief that they were more susceptible to his fraud.

5. Defendant **TIFFANY ALLEN** drove herself, with defendants **DETOINE DAVIS** and **SHARON MILLSAPS**, in a vehicle to the victims' homes.

6. While defendant **DETOINE DAVIS** engaged the victim in conversation on the telephone, defendant **SHARON MILLSAPS**, dressed in a security guard uniform, approached the victim's door, knocked, and identified herself as being associated with the bank defendant **DETOINE DAVIS** was purporting to represent.

7. Defendant **SHARON MILLSAPS** took the victim's debit card and claimed that she would correct the problem with the debit card, sometimes handing the victim back a debit card which the victim believed was his or her card, but which was actually a stolen debit card from the preceding victim.

8. Defendant **TIFFANY ALLEN** drove herself, and defendants **DETOINE DAVIS** and **SHARON MILLSAPS**, with the stolen debit card to a variety of merchants involved in interstate commerce, purchased goods using the stolen debit card, and made withdrawals of cash using the stolen debit card from various bank branches and ATM machines. The loss caused by use of the stolen debit cards was approximately \$239,020.

OVERT ACTS

In furtherance of the conspiracy, defendants **DETOINE DAVIS**, **SHARON MILLSAPS**, and **TIFFANY ALLEN** committed the following overt acts, among others, on or

about the dates noted and at or near the locations noted, in the Eastern District of Pennsylvania and elsewhere:

| # | DATE | DEFENDANT | OVERT ACT |
|----|----------|--------------------------|---|
| 1. | 10-17-07 | DAVIS | Using victim D.E.'s stolen debit card, made five MAC withdrawals totaling approximately \$2,500.00 at the Citizens Bank at 2516 Welsh, Philadelphia, Pennsylvania, from victim D.E.'s account. |
| 2. | 10-22-07 | T. ALLEN and DAVIS | Used I.D.'s stolen debit card to purchase items totaling approximately \$2,983.31 at the ShopRite, located at 3736 Aramingo Avenue, Philadelphia, Pennsylvania. |
| 3. | 12-4-07 | DAVIS | Using victim F.J.'s stolen debit card, made a series of three MAC withdrawals totaling approximately \$2400 at the Wachovia Bank at 2039 S.10th Street, Philadelphia, Pennsylvania, from victim F.J.'s account. |
| 4. | 12-18-07 | MILLSAPS | Posing as a security guard associated with Citizens Bank, MILLSAPS took victim M.F.'s debit card from M.F. at M.F.'s home on Reed Street in Philadelphia, Pennsylvania. |
| 5. | 12-19-07 | MILLSAPS | Posing as a security guard associated with Citizens Bank, MILLSAPS took victim D.F.'s debit card from D.F. at D.F.'s home on Garnet Street in Philadelphia, Pennsylvania. |
| 6. | 12-20-07 | DAVIS | Possessed handwritten notes with identifying information regarding debit card theft victims E.W., F.C., M.M., F.J., K.N., M.F., and D.F., as well as the stolen debit cards of victims F.C. and D.F. at 307 Sheldon Street in Philadelphia, Pennsylvania. |

All in violation of Title 18, United States Code, Section 371.

COUNTS EIGHTEEN THROUGH TWENTY-TWO

THE GRAND JURY FURTHER CHARGES THAT:

On or about the dates listed below, in the Eastern District of Pennsylvania and elsewhere, defendants

**DETOINE DAVIS,
SHARON MILLSAPS, and
TIFFANY ALLEN**

knowingly and with intent to defraud effected transactions, and aided, abetted, and willfully caused these transactions, with the access device issued to the victims listed below, to obtain payment and other things of value aggregating \$1,000 or more during a one-year period, and thereby affecting interstate commerce:

| COUNT | DEFENDANT(S) | DATE (ON OR ABOUT) | ACCESS DEVICE THEFT VICTIM | LOCATION OF ACCESS DEVICE USE | APPROXI- MATE LOSS ON STOLEN ACCESS DEVICE |
|--------------|------------------------------------|-------------------------------|---|--|---|
| 18 | DETOINE DAVIS, and SHARON MILLSAPS | 2-12-07 | M.D. | Citizens Bank, 2516 Welsh Road, Philadelphia | \$2,400.00 |
| 19 | DETOINE DAVIS, and SHARON MILLSAPS | 9-13-07 | N.K. | Wachovia Bank, 6420 Frankford Avenue, Philadelphia, Pennsylvania | \$1,000.00 |
| 20 | DETOINE DAVIS, and SHARON MILLSAPS | 12-14-07 | F.C. | ShopRite, 6301 Oxford Avenue, Philadelphia | \$1,900.00 |

| COUNT | DEFENDANT(S) | DATE (ON OR ABOUT) | ACCESS DEVICE THEFT VICTIM | LOCATION OF ACCESS DEVICE USE | APPROXI- MATE LOSS ON STOLEN ACCESS DEVICE |
|--------------|--|-----------------------------------|---|---|---|
| 21 | DETOINE DAVIS, and SHARON MILLSAPS | 12-18-07 | M.F. | Citizens Bank, 2014 Cottman Avenue, Philadelphia | \$1,800.00 |
| 22 | DETOINE DAVIS, SHARON MILLSAPS, and TIFFANY ALLEN | 12-19-07 | D.F. | Wachovia Bank, 700 Adams Avenue, Philadelphia | \$1,000.00 |

All in violation of Title 18, United States Code, Sections 1029(a)(5) and 2.

A TRUE BILL:

FOREPERSON

LAURIE MAGID
Acting United States Attorney